

**BOSE MCKINNEY & EVANS LLP****CUSTOMER NUMBER: 25267**2700 First Indiana Plaza  
135 North Pennsylvania Street  
Indianapolis, Indiana 46204**PATENT APPLICATION**Mail Stop Patent Application  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Applicant(s): Wenger et al.

Title: **VIBRATION METER AND  
METHOD OF MEASURING A  
VISCOSITY OF A FLUID**

Atty. Docket No.: 9092-0158

**Certificate Under 37 C.F.R. 1.10**Express Mail Label No.: EV322400198USDate of Deposit: September 4, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Angie Garland

Typed or Printed Name of Person Mailing Paper or Fee

Angie Garland  
Signature of Person Mailing Paper or Fee

Dear Sir:

This is a request for filing a ☒ continuation ☐ Divisional application under 37 C.F.R. § 1.53(b), of pending prior application Serial No. 09/844,013, filed April 27, 2001, for VIBRATION METER AND METHOD OF MEASURING A VISCOSITY OF A FLUID

The entire disclosure of the prior application, from which an oath or declaration is supplied, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

1. ☒ Enclosed is a copy of the prior application as originally filed.
2. ☒ Declaration and Power of Attorney:
  - ☐ is being filed with this application.
  - ☒ was filed in the prior application, and a copy is enclosed herewith.
3. ☐ Small entity status: Applicant claims small entity status. See 37 C.F.R. § 1.27.
4. ☒ The filing fee has been calculated as shown below:

CLAIMS AS FILED					
	NUMBER FILED		NUMBER EXTRA*	RATE	FEE
BASIC FEE (37 C.F.R. 1.16(a))				\$750	\$750
TOTAL CLAIMS (37 C.F.R. 1.16(c))	43	- 20 =	23	\$18	\$414
INDEPENDENT CLAIMS (37 C.F.R. 1.16(b))	4	- 3 =	1	\$84	\$84
MULTIPLE DEPENDENT CLAIM PRESENT (37 C.F.R. 1.16(d))				\$280	
*NUMBER EXTRAMUST BE ZERO OR LARGER				TOTAL	\$1,248
If applicant has small entity status under 37 C.F.R. 1.9 and 1.27, then divide total fee by 2, and enter amount here.				SMALL ENTITY TOTAL	
				NO	\$1,248

5. ☒ A check in the amount of \$1,248.00 is enclosed to cover the filing fee.

6. ☐ Request for \_\_\_\_\_ Month extension of time in Application No. \_\_\_\_\_  
filed \_\_\_\_\_ is enclosed herewith.
7. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed to cover the extension of time.
8. ☒ A Preliminary Amendment is enclosed.
9. ☒ Cancel in this application original claims 1-11 of the prior application.
10. ☒ Amend the specification by inserting before the first line the sentence:  
This application is a continuation of U.S. Patent Application Serial No. 09/844,013,  
filed April 27, 2001, which claims the benefit of U.S. Provisional Application No. 60/221,622, filed July 28, 2000, and claims priority to German Application No. 100  
20 606.9, filed April 27, 2000, and European Patent Office Application No. 00110086.6.
11. ☒ The original application was assigned from the inventors to Endress+Hauser  
Flowtec AG.
12. ☐ An assignment of the invention is enclosed herewith.
13. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the recordation fee for the  
assignment is enclosed.
14. ☐ Request For Non-Publication and Certification Under 35 U.S.C. 122(b)(2)(B)(1)
15. ☐ Recognize as associate attorneys:
16. ☒ Address all future communications to:
- Intellectual Property Group  
Bose McKinney & Evans LLP  
2700 First Indiana Plaza  
135 North Pennsylvania Street  
Indianapolis, Indiana 46204  
Telephone: (317) 684-5000  
Facsimile: (317) 684-5173
17. ☐ An Information Disclosure Statement is enclosed.
18. ☐ A PTO Form 1449 is enclosed with copies of \_\_\_\_\_ cited references.
19. ☒ The Commissioner is hereby authorized to charge any additional filing fees under 37  
C.F.R. 1.16 or processing fees under 37 C.F.R. 1.17 which may be required during  
prosecution of this application, or credit any overpayment, to Bose McKinney &  
Evans LLP's Deposit Account No. 02-3223. A duplicate copy of this sheet is  
enclosed.

September 4, 2003  
Date



Attorney of Record  
Printed Name: Christine E.M. Orich  
Reg. No.: 44,987

**BOSE McKINNEY & EVANS LLP**

2700 First Indiana Plaza  
135 North Pennsylvania Street  
Indianapolis, Indiana 46204  
(317) 684-5000

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. 1.10

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Respectfully submitted,

BOSE McKINNEY & EVANS LLP

Angie Garland  
Angie E. Garland

Enclosures  
(317) 684-5000

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